

2005 DRAFTING REQUEST

Bill

Received: 02/28/2005

Received By: agary

Wanted: As time permits

Identical to LRB:

For: Gary Sherman (608) 266-7690

By/Representing: Judy Kelly (aide)

This file may be shown to any legislator: NO

Drafter: agary

May Contact:

Addl. Drafters:

Subject: Beverages

Extra Copies:

Submit via email: YES

Requester's email: Rep.Sherman@legis.state.wi.us

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Intoxicating liquor retail license quota exception for certain golf course restaurants

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?				_____			Local
/1	agary 04/01/2005	jdyer 04/04/2005	rschluet 04/04/2005	_____	sbasford 04/04/2005	lnorthro 04/04/2005	

FE Sent For:

<END>

→ AT
Intro.

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/?	agary	1/4 jld					Local

FE Sent For:

<END>

Gary, Aaron

From: LRB.Legal
Sent: Monday, February 28, 2005 2:57 PM
To: Gary, Aaron
Cc: Kelly, Judy
Subject: RE: Draft

I think this one's for you Aaron.

Mike Barman

Mike Barman - Senior Program Asst. (PH. 608-266-3561)
(E-Mail: mike.barman@legis.state.wi.us) (FAX: 608-264-6948)

State of Wisconsin
Legislative Reference Bureau - Legal Section - Front Office
1 East Main, Suite 200 Madison, WI 53703

-----Original Message-----

From: Kelly, Judy
Sent: Monday, February 28, 2005 2:49 PM
To: LRB.Legal
Subject: Draft

Rep. Sherman would like legislation drafted that would make an exception to the liquor license law in 125.51. The exception would be for golf courses with a full-service restaurant with a seating capacity between 75-100.

2/28/05

f/c w/ Judy Kelly

• constituent : liquor license

- exception to the quota requirement

- narrow

Judy - rm 3/1

- don't want cost to be \$10,000
=

• make cost same as a reserve license

wanted by
4/5
end of day

jd

2005 BILL

Gen

1

AN ACT ...; relating to: municipal quotas for Class B intoxicating liquor

2

licenses.

Analysis by the Legislative Reference Bureau

Current law prohibits a person from selling alcohol beverages at retail unless the seller possesses a license or permit authorizing the sale. A "Class B" license authorizes the sale of intoxicating liquor at retail for consumption on the premises where sold and is issued for specific premises. Current law imposes a quota on the number of "Class B" licenses that a municipality may issue. The quota on the number of "Class B" licenses that a municipality may issue is generally determined by a formula based on the number of licenses previously issued by the municipality and the municipality's population. Current law also provides quota exceptions for a full-service restaurant that has a seating capacity of 300 or more persons and for a hotel that has 50 or more rooms and a restaurant or banquet room meeting certain criteria. The holder of a "Class B" license issued under one of these two quota exceptions is not entitled to transfer the license to another premises within the issuing municipality and, if there is a finding of certain alcohol beverage violations by the licensee, a "Class B" license issued under one of these two quota exceptions must be revoked, in contrast to other "Class B" licenses for which revocation would be permissive.

Under current law, each municipality establishes an annual fee, which generally must be between \$50 and \$500, for a "Class B" license, except that the fee for initial issuance of a reserve "Class B" license (generally one first issued after December 1, 1997) may not be less than \$10,000. Current law does not specify a

BILL

minimum or maximum initial issuance fee or annual fee for "Class B" licenses issued under the two quota exceptions.

This bill creates a third quota exception for any full-service restaurant that has a seating capacity of 75 to 100 persons and that is located on a golf course. A municipality may not establish an initial issuance fee or an annual fee for a "Class B" license issued under this exception that exceeds \$500.

For further information see the *local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 125.51 (3) (e) 3. of the statutes is amended to read:

125.51 (3) (e) 3. Each municipal governing body shall establish the annual fee for a "Class B" license issued under sub. (4) (v), except that neither the fee for an initial issuance of, nor the annual fee for, a "Class B" license issued under sub. (4) (v) 3. may exceed any fee established under subd. 1. The initial fee may be different from the annual fee to renew the license.

History: 1981 c. 79, 202, 220; 1983 a. 27 ss. 1489c, 2202 (38); 1983 a. 230, 516; 1985 a. 74, 239, 302; 1987 a. 27, 91, 103, 249, 354, 399; 1989 a. 16, 30, 31, 252, 253, 359; 1991 a. 39; 1993 a. 112; 1995 a. 27; 1997 a. 27, 41, 248, 259; 1999 a. 9, 18; 2001 a. 16, 49; 2003 a. 124.

SECTION 2. 125.51 (4) (v) 3. of the statutes is created to read:

125.51 (4) (v) 3. A full-service restaurant that has a seating capacity of 75 to 100 persons and that is located on a golf course.

(END)

Northrop, Lori

From: Sherman, Gary
Sent: Monday, April 04, 2005 9:37 AM
To: LRB.Legal
Subject: Draft review: LRB 05-2302/1 Topic: Intoxicating liquor retail license quota exception for certain golf course restaurants

It has been requested by <Sherman, Gary> that the following draft be jacketed for the ASSEMBLY:

Draft review: LRB 05-2302/1 Topic: Intoxicating liquor retail license quota exception for certain golf course restaurants